

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1468

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 28-7009, Arizona Revised Statutes, is amended to
3 read:

4 28-7009. Statewide transportation acceleration needs account;
5 establishment; definition

6 A. The statewide transportation acceleration needs account is
7 established as a separate account in the state highway fund. The account
8 consists of all of the following, except that the source of monies in the
9 fund shall not be a consent agreement or any type of negotiated settlement by
10 any state or local agency or any donation made in place of a consent
11 agreement or any type of settlement:

12 1. Monies appropriated by the legislature.
13 2. Monies designated for deposit in the account by the transportation
14 board, a state agency or a political subdivision.

15 3. Monies received from the United States government for the purpose
16 of accelerating transportation projects.

17 4. Monies received from political subdivisions, Indian tribes or this
18 state or its agencies for the purpose of accelerating transportation
19 projects.

20 5. Interest and other income received from investing monies in the
21 account.

22 6. Gifts, grants, donations or other amounts received from any public
23 or private source for deposit in the account for the purpose of accelerating
24 transportation projects.

25 B. On notice from the transportation board, the state treasurer shall
26 invest and divest monies in the statewide transportation acceleration needs
27 account as provided by section 35-313, and monies earned from investment
28 shall be credited to the account.

1 C. The transportation board may establish any subaccount in the
2 statewide transportation acceleration needs account that the board determines
3 is necessary or appropriate to carry out the purposes of this section.

4 D. If a governmental entity or a private person deposits monies in the
5 statewide transportation acceleration needs account for acceleration of a
6 specific project and the appropriate regional planning agency or council of
7 governments in cooperation with the transportation board approves the
8 project, the board shall designate the monies deposited by the governmental
9 entity or private person solely for the project for which the monies are
10 deposited.

11 E. Notwithstanding section 28-6993, and any other agreements entered
12 into by the department of transportation for the distribution and expenditure
13 of monies from the state highway fund, the transportation board shall not
14 approve any expenditures from the statewide transportation acceleration needs
15 account unless the expenditure is made in accordance with this section and is
16 for the construction or reconstruction of freeways, state highways, bridges
17 and interchanges that are contained in the regional transportation plan of a
18 county or the department's long-range statewide transportation plan pursuant
19 to section 28-506. For the purposes of this subsection, a regional
20 transportation plan is a twenty year comprehensive, performance based,
21 multimodal and coordinated regional transportation plan that is approved for
22 the county as provided by law and as amended or otherwise modified.

23 F. Except as provided in sections 28-7010 and 28-7011, monies in the
24 statewide transportation acceleration needs account shall be used only to pay
25 for the following costs of a transportation project approved pursuant to this
26 section:

- 27 1. Materials and labor.
- 28 2. Acquisition of rights-of-way for highway needs.
- 29 3. Design and other engineering services that are within the scope of
30 engineering practice as provided in title 32, chapter 1.
- 31 4. Other directly related costs approved by the transportation board.

1 G. Monies in the statewide transportation acceleration needs account
2 that are appropriated by the legislature and any interest earnings shall be
3 allocated as follows:

4 1. For a county with a population of at least one million two hundred
5 thousand persons for the area included in the regional planning agency's
6 transportation improvement plan, sixty per cent.

7 2. For a county with a population of more than five hundred thousand
8 persons but less than one million two hundred thousand persons for the area
9 included in the regional planning agency's transportation improvement plan,
10 sixteen per cent.

11 3. For all other counties, twenty-four per cent.

12 H. The regional planning agency in a county designated as a
13 transportation management area shall establish a process for the review and
14 approval of transportation projects eligible to receive monies from the
15 statewide transportation acceleration needs account. As part of its request
16 to the transportation board for monies, the regional planning agency shall
17 ensure and submit evidence satisfactory to the board that any project costs
18 not eligible for monies from the statewide transportation acceleration needs
19 account are available and dedicated to the project. In all other counties,
20 the department, in cooperation with the metropolitan planning organization or
21 the council of governments that has the authority to approve transportation
22 projects for the county, shall develop requests for expenditure of monies
23 from the statewide transportation acceleration needs account. As part of the
24 request to the transportation board for monies, the metropolitan planning
25 organization or the council of governments for the department shall submit
26 evidence satisfactory to the board that any project costs not eligible for
27 monies from the statewide transportation acceleration needs account are
28 available and dedicated to the project.

29 I. On receipt of a request for monies from the statewide
30 transportation acceleration needs account, the transportation board shall
31 place the request on the agenda for the next regular business meeting of the
32 board. The board shall review the request and, in cooperation with the

1 regional planning agency, the metropolitan planning organization or the
2 council of governments, approve the request or further modify the request
3 before approval.

4 J. The transportation board shall not approve the release of any
5 monies from the statewide transportation acceleration needs account for a
6 transportation project unless the board verifies that all costs related to
7 construction of the project are covered.

8 K. Monies in the statewide transportation acceleration needs account
9 shall be used to supplement, not supplant, funding that would otherwise be
10 made available for projects.

11 L. On or before July 1 of each year, the transportation board shall
12 submit a report of its activities pursuant to this section to the governor,
13 the president of the senate and the speaker of the house of representatives
14 and shall provide a copy of this report to the secretary of state, the
15 director of the joint legislative budget committee and the director of the
16 Arizona state library, archives and public records.

17 M. A regional planning agency that receives monies from the statewide
18 transportation acceleration needs account shall report on or before December
19 15 of each year to the senate and house of representatives transportation
20 committees on approved projects and amounts expended for those projects.

21 N. THE TRANSPORTATION BOARD MAY TRANSFER MONIES FROM THE STATEWIDE
22 TRANSPORTATION ACCELERATION NEEDS ACCOUNT TO THE TRANSPORTATION ACCELERATION
23 INTEREST REIMBURSEMENT ACCOUNT ESTABLISHED BY SECTION 28-7010 FOR THE
24 PURPOSES PRESCRIBED BY SECTION 28-7010.

25 ~~N.~~ 0. For the purposes of this section, "project" means the
26 construction or reconstruction of a specific portion of a freeway or state
27 highway or a bridge or interchange or a portion of a bridge or interchange
28 that is constructed at a single location.

29 Sec. 2. Repeal

30 Section 41-3008.17, Arizona Revised Statutes, is repealed.

31 Sec. 3. Title 41, chapter 27, article 2, Arizona Revised Statutes, is
32 amended by adding section 41-3016.26, to read:

41-3016.26. Department of transportation; termination July 1, 2016

- A. THE DEPARTMENT OF TRANSPORTATION TERMINATES ON JULY 1, 2016.
 - B. TITLE 28 IS REPEALED ON JANUARY 1, 2017.

Sec. 1. Purpose

The purposes of the department of transportation include:

1. Designing, constructing and maintaining the state highway system and state routes for the entire state.

2. Providing for orderly registration and titling of vehicles and licensure of motor vehicle drivers.

3. Assisting and promoting the aviation industry in this state.

4. Providing for orderly registration and licensure of general aviation aircraft.

Sec. 4. Retroactivity

Sections 2 and 3 of this act are effective retroactively to July 1, 2008."

17 Amend title to conform

ANDY BIGGS

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